



**Canyon Fuel
Company, LLC**

A Subsidiary of

C/041/002 Incoming

4713

Sufco Mine

Kenneth E. May
General Manager
597 South SR24
Salina, Utah 84654
(435) 286-4400
Fax (435) 286-4499

November 3, 2014

Permit Supervisor, Utah Coal Regulatory Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, UT 84114-5801

RECEIVED
NOV 04 2014
DIV. OF OIL, GAS & MINING

Re: Revision Associated with the Shelters in South Fork, Sufco Mine, Canyon Fuel Company, LLC
Permit Number C/041/0002, Task ID#4647

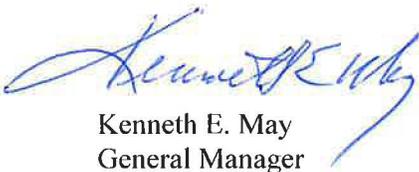
Dear Sirs:

Please find enclosed with this letter an amendment to the Sufco Mine Permit to address the shelters in South Fork. We have included two redline/strikeout copy of the documentation associated with this amendment.

The revised "determination of effect" documents and certified map have been included in Appendix 4-2 (Confidential)

If you have questions or need addition information please contact Vicky Miller at (435)286-4481.

CANYON FUEL COMPANY, SUFCO Mine



Kenneth E. May
General Manager

Encl.

cc: DOGM Correspondence File

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Sufco Mine

Permit Number: C/041/0002

Title: Revisions to M&RP to Revise Text Associated with Shelters in So. Fork Quitchupah, Task ID#4647

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Kenneth E. MAY
Print Name

Kenneth E. May 11/3/14
Sign Name, Position, Date

Subscribed and sworn to before me this 3rd day of November, 2014

Jacquelyn Nebeker
Notary Public

My commission Expires: _____, 20____ }
Attest: State of _____ } ss:
County of _____



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="font-size: 1.5em; color: blue; font-weight: bold;">RECEIVED</p> <p style="color: red; font-weight: bold;">NOV 04 2014</p> <p style="color: blue; font-weight: bold;">DIV. OF OIL, GAS & MINING</p>
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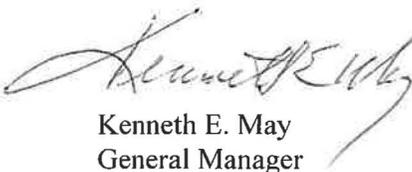
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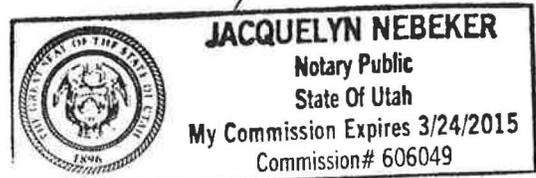
Kenneth E. May
Print Name

Jacquelyn Nebeker 11/3/14
Sign Name, Position, Date

Subscribed and sworn to before me this 3rd day of November, 2014

Jacquelyn Nebeker
Notary Public

My commission Expires: _____ 20____ }
Attest: State of _____ } ss:
County of _____



For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining <div style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">NOV 04 2014</div> <div style="text-align: center; color: blue; font-weight: bold; font-size: 1.2em;">DIV. OF OIL, GAS & MINING</div>
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CHAPTER 4
LAND USE AND AIR QUALITY

a lithic scatter associated with a small rock shelter. Both sites will be undermined under the present mine plan. This shelter is more of a terrace overhang that measures approximately 1.5 meters high and 4 meters wide at the opening and extends 1.5 meters beneath the rock to a tapered edge. The shelter shows signs of modern disturbance and it appears that some of the fill material has been disturbed by minor looting activities.

A cultural resource investigation plan for the 42SV3464 rock shelter was requested and approved between the U.S. Forest Service, Utah State Historic Preservation Office (SHPO), EnviroWest, LLC and Canyon Fuel Company, LLC since the shelter appeared to have been disturbed. Testing of the rock shelter for significance was conducted by EnviroWest and Fishlake National Forest Archaeologist in the fall of 2012. While the site was initially evaluated as being eligible for listing in the National Register of Historic Places, subsequent testing has found it to be ineligible for listing due to disturbance. A copy of the cultural resource investigation testing report and the Determination of Significance and Effect form are located in Appendix 4-2 in the Confidential folder of the M&RP. No further testing of the 42SV2690 lithic scatter was required.

South Fork of Quitcupah Canyon - 2013 Inventory (October 2014)

During July and August 2013 a file search of archeological/cultural resource records and a pedestrian inventory of the study area was performed by EnviroWest LLC. The report is located in Appendix 4-2, Confidential Folder (2013). During the pedestrian inventory five new cultural resource sites were documented, three consisted of lithic scatters located on the bench area and two rock shelters in the canyon. The lithic scatters were recommended by EnviroWest LLC as ineligible for listing in the National Register of Historic Places (NRHP), whereas and the two rock shelters were recommended to be eligible for listing in the NRHP. Upon consideration of the EnviroWest LLC report recommendations and a mine plan prepared by Sufco showing several panels to be mined to the north of the 3R2S panel a "Determination of Significance and Effect" was prepared by Forest Service Archeologist Charmaine Thompson and signed by a SHPO representative in 2013 showing a finding of "adverse effect", Appendix 4-2, Confidential (2013).

~~Due to the length of time required for review of the information and the processing of the "Determination of Significance and Effect" documents, the opportunity for the recovery/excavation of the rock shelters has been delayed until 2014 when the information could be evaluated and probability of impact could be determined. The applicant commits not to mine beneath the rock~~

~~shelters until the recovery/excavation of the two shelters or other recommendation of actions by the USDA Forest Service have been completed. No mining will occur beneath rock shelter Sites 42SV3550 and 42SV3551 which have been determined to be eligible for listing in the National Register of Historic Places. The applicant has solicited evaluations from two sources to determine the potential for impacted to either shelter by subsidence associated with mining. It is the conclusion of these evaluations that neither of the shelters should be impacted. An explanation and illustration showing the definition of angle of draw as it relates to "collapsed longwall workings" at the Sufco Mine is provided in Appendix 4-2 as is an analysis and drawing showing the location of the shelters in relation to the mine panels. A drawing showing the location of the shelters in relation to the mine panels is located in Appendix 4-2. The applicant commits not to mine beneath the rock shelters until the recovery/excavation of the two shelters or other recommendation of actions by the USDA Forest Service have been completed. The USDA Forest Service as the land owner will be made aware of this conclusion, upon approval of this amendment by the Division.~~

Due to a change in Sufco's mine plan and further evaluations by an engineer and geologist it was determined the potential for impact to either shelter by subsidence associated with mining was unlikely. A drawing included in Appendix 4-2, Tension Cracks(2 South) illustrates the location of the shelters in proximity to the 3R2S panel and showed surveyed surface cracks as a result of mining in the 2R2S panel. Evaluation of the cracks from past mining(2R2S, Pines) illustrates that surface cracking associated with subsidence primarily occurs within the mined panel area and well within the anticipated angle of draw of subsidence. Therefore, it is believed that the information and maps provided in Appendix 4-2 demonstrate that the two shelters 42SV3550 and 42SV3551 should not be affected by the mining.

The additional information was provided to Manti-La Sal Forest Service Archeologist Charmaine Thompson. During a second review of the information pertaining to mining activities in relation to the two shelters (Forest Service Project - ML-13-1452, Appendix 4-2) and a visit to the study area, Ms. Thompson revised her earlier determination to be "no adverse effect" to the shelters listed in the report. Ms. Thompson's evaluation letter and determination were forwarded to the Utah State Historical Society, with a request for concurrence with the decision of "no adverse effect", concurrence was given by Chris Merritt, Senior Preservation Specialist. The documentation of the decision and concurrence is located in Confidential Appendix 4-2.